

COMMISSION MEETING MINUTES

Indiana Fire Prevention and
Building Safety Commission
Government Center South
302 West Washington Street
Indianapolis, Indiana 46204
Conference Room B

September 5, 2012

Pursuant to IC 22-12-2-6, the Indiana Fire Prevention and Building Safety Commission's regular monthly meeting was opened by Vice- Chairman Ogle at 9:05 a.m. on September 5, 2012.

(a) Commissioners present at the Commission meeting:

Diana M. H. Brenner
Ron Brown
Michael Christoffersen
Tom Cloud
Michael Corey
Hattie Sims, representing the Commissioner, Department of Labor
John Hawkins
Todd Hite, representing the Commissioner, Department of Health
Matt Mitchell
Ted Ogle, Vice-Chairman

Commissioners not present at the beginning of the Commission meeting:

David Hannum, Chairman, 3:00 pm arrival

(b) The following departmental and support staff were present during the meeting:

Legal and Code Services:

Mara Snyder, Director, Legal and Code Services
Shelly Wakefield, Manager, Code Technical Development
Cecilia Ernstes-Boxell, Code Specialist
Denise Fitzpatrick, Code Specialist
John Haines, Code Specialist
John Hibner, Code Specialist
Beth Sutor, Secretary

(c) James Schmidt, Deputy Attorney General, and Gary Bippus, Administrative Law Judge, were present.

2. Old Business.

A call for any corrections or a motion to approve the minutes of the August 7, 2012 meeting as distributed was made. Commissioner Hawkins noted that in Item #3, the word “stringent” should have appeared, instead of the word “stringer”. Commissioner Corey moved to approve the minutes as amended, with the second by Commissioner Christoffersen. It was voted upon and carried.

3. Ordinances

Building Code Ordinance 2012-03
Orleans, Indiana

Shelly Wakefield, Manager, Code Technical Development, advised the Commissioners that the ordinance was in order and recommended approval. Commissioner Corey moved to approve, with the second by Commissioner Brown. It was voted upon and carried.

4. Discussion and possible approval of Emergency Rule 12-xxx(E) adopted by the Boiler and Pressure Vessel Rules Board

Mara Snyder, Director, Legal and Code Services, explained that, by statute, the rules adopted by the Boiler and Pressure Vessel Rules Board had to be approved by the Fire Prevention and Building Safety Commission. The rule before them today was an emergency rule adopted by the Board on September 4, 2012. Commissioner Hawkins moved to approve LSA Document #12-xxx(E), the emergency rule for the adoption of the National Board Inspection Code, 2011 edition, with the second by Commissioner Mitchell. It was voted upon and carried.

Variances.

Tabled Variances.

The proponent for variance 12-05-12 The Well, United Brethren in Christ Church Renovation, Huntington, had requested it be tabled. Commissioner Christoffersen moved to table, with the second by Commissioner Brown. It was voted upon and carried. Ed Rensink, RTM Consultants, spoke as proponent for variance 12-06-41 The Warehouse by the Family Center, Bloomington. He asked that the application be tabled, with Walt Knaepple, Fire and Building Code Enforcement, in agreement. Commissioner Christoffersen moved to table, and Commissioner Brown made the second. It was voted upon and carried. Variance 12-08-4 Kiefer Enterprises, Greenwood, was represented by Brian Kiefer, owner, and John Kane, contractor. Also present was Michael Arany, White River Fire Department. Variance (a) was a request to omit the water supply pond, while (b) was a request to allow the existing 12 foot wide gravel drive to remain. An agreement had been reached in which the owner would provide a monitored fire alarm system in lieu of the pond, and existing drive would be paved to a width of 12 feet instead of the 20 feet required by code. Commissioner Mitchell made the motion to approve both with the stated conditions, and the second was made by Commissioner Christoffersen. It was voted upon and carried. The proponent for variance 12-08-9 Karl Kunisch Building Remodel, Middlebury, had requested the application be tabled. Commissioner Corey moved to table, with the second by Commissioner Christoffersen. It was voted upon and carried. Variance 12-08-15 Fire Retardant Project North Jr/Sr High School, Evansville, and 12-08-18 Fire Retardant Project Perry Heights Middle School, Evansville, were represented by Roger Lehman, RLehman Consulting. Staff changed their recommendation to No Variance Required based on the Commission’s interpretation of Section 807 of the Indiana Fire Code. The proponent had submitted a letter stating their NFPA 701 compliance policy and their required steps to do so. Commissioner Christoffersen moved that no variance was required for variances 12-08-15 and 12-08-18. Commissioner Corey made the second. It was voted upon and carried. Variance 12-08-27 Eigenman Hall Elevator, Bloomington, was represented by Brian Smith, Indiana University Bloomington Elevator Shop Foreperson. He stated that an emergency hatch, keyed to prevent entry by the public, had designed and built into the car top, providing access to the hoistway for maintenance, when the car was manufactured. Commissioner Corey moved to approve, with the second by Commissioner Hawkins. It was voted upon and carried. Ralph Gerdes, Ralph Gerdes Consultants, spoke as proponent for 12-08-28 Elanco Global Headquarters Expansion, Greenfield. The request was to allow two horizontal exits and one unenclosed stair to serve as the exits from the second floor. Following discussion, Commissioner Cloud moved to approve, with the second by Commissioner Corey. It was voted upon and carried. Ed

Rensink, RTM Consultants, spoke as proponent for 12-08-32 Where Else Bar, West Lafayette. Also present were Mike Francis and Tony Shutter of the West Lafayette Fire Department. The proponent submitted a revised application which reflected the outcome of meetings between the owner, proponent and fire department. A one-hour fire barrier would be provided on each side of the tenant space, a fire alarm system would be provided, and the tenant space would be sprinklered. Commissioner Mitchell moved to approve, with the second by Commissioner Brown. It was voted upon and carried. Tim Callas, J & T Consulting, spoke as proponent for variance 12-08-40 Maysville Landing Senior Villas Buildings Nos. 1-9 Phase 1, Ft. Wayne. He presented revised drawings showing the requested second exit from each unit. Following discussion, Commissioner Brown moved to approve, with the second by Commissioner Corey. It was voted upon and carried. The proponent for 12-08-44 Sycamore Farms Event Center, Bloomington, had requested the application be tabled. Commissioner Corey moved to table, with the second by Commissioner Hite. It was voted upon and carried. Dennis Bradshaw, FP&C Consultants, spoke as proponent for variance 12-08-47(a) Heritage K-12 School, Monroeville. The proponent advised they would sprinkle the small addition of 7250 square feet to the south. Following discussion, Commissioner Hite moved to approve with the second by Commissioner Hawkins. It was voted upon and carried.

Regular Variances.

Vice-Chairman Ogle asked for any abstentions or variances to be called out of the block vote. Commissioner Christoffersen advised he would abstain from voting on variance 12-09-53 Tippmann Residence, Ft. Wayne. Commissioner Hawkins advised he would abstain from voting on variance 12-09-35 One-Eighteen LLC, Bloomington. Commissioner Cloud advised he would abstain from voting on variance 12-09-33(a)(b)(c)(d)(e)(f) Barton Block, Indianapolis. Commissioner Corey moved to approve all other variances with an "A" or "B" rating by staff, with the second by Commissioner Christoffersen. It was voted upon and carried.

The following variances were approved as submitted:

- (1) 12-09-1 Cooper Towers Fire Hose Removal, Brazil
- (2) 12-09-2 Henderson Crossing 523 & 525 E. Smith St. Windows, Bloomington
- (3) 12-09-3 1019 Pinehurst Windows, Bloomington
- (4) 12-09-5 St. Vincent Clay Hospital, Brazil
- (5) 12-09-9 Mainstreet Health and Wellness Suites of Castleton, Indianapolis
- (6) 12-09-10 Seeber Rentals 1329, 1331, 1333 N. Washington Windows, Bloomington
- (7) 12-09-11(a)(b)(c) Morton Grad Apartments, Bloomington
- (8) 12-09-12 Seeber Rentals 419 & 421 E. 20th St. Windows, Bloomington
- (9) 12-09-13 Seeber Rentals 405 E. 20th St. Windows, Bloomington
- (10) 12-09-14 Seeber Rentals 1323, 1325, 1327 N. Washington Windows, Bloomington
- (11) 12-09-17 Wagner Meinert, Inc., Ft. Wayne
- (12) 12-09-19 Wal-Mart Store #1157, North Vernon
- (13) 12-09-20 Lockhart Cadillac Service Building Addition, Fishers
- (14) 12-09-33(e)(f) Barton Block, Indianapolis
- (15) 12-09-49 Midwest Tile Storage Building, Woodburn

The following variances were heard separately:

- (16) 12-09-4 LaJoya Apartments, Indianapolis

The application remained incomplete and ineligible to be heard. Commissioner Corey moved to table, with the second by Commissioner Brenner. It was voted upon and carried.

- (17) 12-09-6 Pickwick Commons Phase 3, New Albany

Kevin Zurchmiede, BLZ, LLC, spoke as proponent. When the development was initially designed and the first phase constructed, sprinklers were not required. A variance had been granted to omit sprinklers in the second phase of development due to pipes which were sized too small to service sprinkler systems. A condition of that variance was that it

was valid for only the four buildings listed and not for any future buildings. This request was to omit sprinklers in the four residential condominium units of the third phase. Lynn Armstrong, architect, noted that a 2-hour area separation wall was to separate each unit in the single story building, with each having two exits directly to the exterior. Following discussion, Commissioner Hawkins moved to approve with the second by Commissioner Brenner. It was voted upon and carried with two nay votes.

(18) 12-09-7 Sleeping Room Width, Bloomington

The proponent had requested this be tabled. Commissioner Corey moved to table, with the second by Commissioner Cloud. It was voted upon and carried.

(19) 12-09-8(a)(b) Christian Care Retirement Community, Bluffton

Keith Baumgartner, Meyer Building, spoke as proponent. Toby Steffan, board member, also was present. An addition was planned for an existing storage building. The public did not have access to the building, and the maintenance man used the building to keep tools, etc. The code called for a service sink, drinking fountain and emergency shower, but there was no existing plumbing in the building. The addition was to be heated to store liquids used by the nursing home. The request was to omit the restroom requirement in (a) and the shower, fountain and sink in (b). Following the discussion of the difference between an S1 and a U classification, Commissioner Christoffersen moved to approve both (a) and (b), with the second by Commissioner Corey. It was voted upon and carried. James Fritsch, architect, also addressed the Commission. He noted that he also had this situation with two of his projects, caused by the code. He was urged to submit a code change proposal and was invited to attend the hearings to present his information to the Building Code Committee.

(20) 12-09-11(d) Morton Grad Apartments, Bloomington

Ed Rensink, RTM Consultants, spoke as proponent. The request was to allow two residential units at grade level in Type 1A Construction. Current code does not allow R-occupancies in podium style arrangements. The parking garage was to be separated from the residential units. Commissioner Christoffersen moved to approve with condition the apartments be separated from the garage by a 1-hour wall. Commissioner Corey made the second. Commissioner Mitchell noted that the proponent had just presented variance (c) which had been approved in the block vote. The motion to approve (d), a request to exceed the allowable amount of exterior openings in the north and south walls, was voted upon and carried. Commissioner Corey then moved to rescind the vote on 12-09-11(c), with the second by Commissioner Christoffersen. It was voted upon and carried. Commissioner Brenner then moved to approve (c) with the condition that the apartments be separated from the garage by a 1-hour fire barrier separation. Commissioner Corey made the second. It was voted upon and carried.

(21) 12-09-15 Supreme Corporation Plant #1 Addition, Goshen

Douglas Graham, Project Engineer, spoke as proponent. Also present was Director of Facilities, James Yoder. Two buildings had been constructed using Type II-B construction, but Building #1 had added wood frame offices which reduced it to a V-A construction type. The request was to be allowed to connect the buildings with Type II-B construction, keep the wood frame offices, and allow the building to meet the unlimited area for an F-1 occupancy. The wood framing was located at the other end of the building, opposite the connector. Following discussion, Commissioner Christoffersen moved to approve, with the second by Commissioner Brenner. It was voted upon and carried.

(22) 12-09-16 Select Specialty Hospital, Indianapolis

Doug Trent, RTM Consultants, spoke as proponent. An existing office building was being converted to a long-term acute care hospital. The four stairs were being enclosed as part of the project, but they had open risers. Steel plates were being

welded to the back of the risers, but this caused the tread to become non-compliant. They measured 10” between the projection of the nosings instead of the code-required 11”. The tread is physically 11”, but measure shorter. Following discussion, Commissioner Brenner moved to approve, with the second by Commissioner Hawkins. It was voted upon and carried.

(23) 12-09-18 Lake Central High School, St. John

Ed Rensink, RTM Consultants, spoke as proponent. An existing high school will have additions which will make some of the egress travel distance non-compliant. The building was to be sprinklered throughout. Two hour fire barriers are to be provided in new and existing areas to provide horizontal exits. Corridor smoke detection was to be provided. Following discussion, Commissioner Christoffersen moved to approve with the second by Commissioner Corey. It was voted upon and carried.

(24) 12-09-21 Fairbanks Hospital Addition, Indianapolis

Ed Rensink, RTM Consultants, spoke as proponent. Three additions were being made to the existing hospital. The request was to be allowed to use the existing and new 2-hour fire barriers in lieu of the required fire walls. The building is sprinklered throughout, and the additions were to be sprinklered as well. T. J. Burns, Indianapolis Fire Department, asked that the address on the application be changed to reflect the address of the building. Following discussion, Commissioner Brown moved to approve with the corrected address, with the second by Commissioner Corey. It was voted upon and carried.

Breaking and reconvening. Vice-Chairman Ogle recessed the Commission at 10:25 a.m. It was called back to order at 10:33 am.

(25) 12-09-22 Jennings Recreation Sports Facility, Greenfield

Ed Rensink, RTM Consultants, spoke as proponent. An existing 84 Lumber building, vacant since 2006, was being converted to a recreational, participant sports facility. A Chapter 34 analysis had been done, and the building needed additional points in Fire Safety, Means of Egress and General Safety to pass. The building is Type VB Construction, with a steel frame structure and a wood roof. It was to have a monitored smoke detection and fire alarm system throughout, additional exits which had a capacity of 125% of that required, and a short travel distance. No spectator seating beyond those waiting to participate would be provided, and the fire load would be minimal. Following discussion, Commissioner Christoffersen moved to approve, with the second by Commissioner Hawkins. It was voted upon and carried.

(26) 12-09-23 The American Building, Indianapolis

Ed Rensink, RTM Consultants, spoke as proponent. An existing 1929 office building, Type 1B construction, was being converted to apartments. Trash chutes on floors 1 through 10 open directly into 1-hour corridors, prohibited by code. The dimension of the building doesn't allow for vestibules to be provided to separate the chutes from the corridors. The request was to allow the chutes, with self-closing 90 minute doors, to open directly into the corridors. The building would be sprinklered throughout, with a fire alarm system and smoke detection system. Sprinklers would be provided at the top of the trash chutes and at alternate floors. Following discussion, Commissioner Christoffersen moved to approve with the condition that an additional sprinkler head be placed in each place where a trash chute opens to each corridor. Commissioner Brown made the second. It was voted upon and carried.

- (27) 12-09-24 Bethlehem United Methodist Church Addition, Twelve Miles

Ed Rensink, RTM Consultants, spoke as proponent. Due to the lack of access to a public water supply main, the request was to omit the required sprinkler system. The church was adding to the basement fellowship hall and first floor Sunday School rooms. The sanctuary, with 180 occupant fixed seating, was not being changed. The basement addition was to have a direct exit to the exterior, and a second exit through the existing main entry. A 1-hour floor/ceiling assembly was to be provided. The new classrooms would exit into an enclosed stair which discharges directly to the exterior at grade, and a second exit through the existing main entry. A fire alarm was to be provided throughout the building. Commissioner Christoffersen moved to approve with the condition that a 1-hour floor/ceiling assembly be provided between floors and the door swing on the basement door at the foyer was to be reversed. Commissioner Brenner made the second. It was voted upon and carried with three nay votes.

- (28) 12-09-25 Stadium Lofts, Indianapolis

Ed Rensink, RTM Consultants, spoke as proponent. Bush Stadium, constructed in 1931, was being converted into apartments. To enhance the appearance of the interior, exposed wood columns of non-compliant glued laminate were to be used. The request was to allow their use in the fully sprinklered building. The columns missed complying with the heavy timber measurement, which would have satisfied code requirements, by one inch. There was to be full one-hour deck assemblies between floors. Following discussion, Commissioner Brown moved to approve, with the second by Commissioner Corey. It was voted upon and carried.

- (29) 12-09-26 IPI Waterloo Employee Offices and Non-Ferrous Building, Waterloo

Ed Rensink, RTM Consultants, spoke as proponent. The NFPA 13 sprinklered office areas of the facility are separated from the unsprinklered warehouse of the Non-Ferrous building by a 2-hour fire barrier. The office area would not have 1-hour rated egress corridors to avoid a daily operational hardship for the employees. The request was to omit the rated corridors due to the non-code required sprinkler system. Commissioner Brenner moved to approve, with the second by Commissioner Mitchell. It was voted upon and carried.

- (30) 12-09-27 Subaru Body Shop Expansion 3, Lafayette

Ed Rensink, RTM Consultants, spoke as proponent. Due to increased demand, an addition to the facility was planned to the body shop area. The building had been granted a variance in 1987 for a 550 foot travel distance, and other additions to the building had stayed within that limit. This addition would cover up two exterior exits and extend the travel distance by fifty feet. The addition would not be occupied by the general public, but only employees familiar with the assembly area. The building was protected throughout with a sprinkler system with an on-site fire protection water storage facility. Following discussion, Commissioner Brenner moved to approve, with the second by Commissioner Mitchell. It was voted upon and carried.

- (31) 12-09-28 McQuat Building Renovation and Conversion, Indianapolis

Ed Rensink, RTM Consultants, spoke as proponent. The fire command center room was to be 45 square feet, instead of the minimum of 96 square feet required by code, due to the dimensions and layout of the existing building. The Indianapolis Fire Department had reviewed the plans for the command center, felt to be large enough to accommodate the required control and monitoring equipment, and asked that it be located close to the door. Commissioner Brown moved to approve, with the second by Commissioner Mitchell. It was voted upon and carried.

- (32) 12-09-29 University of Indianapolis Roberts Hall, Indianapolis

Ed Rensink, RTM Consultants, spoke as proponent. An electric residential range in the student lounge on each of the five floors of the building did not have a Type I or Type II hood, but had a residential type hood installed instead. The building was protected throughout with an NFPA 13 sprinkler system, and Stove Top FireStop extinguishing canisters were installed above the stoves. The ranges would only be used occasionally as regular meals are served in the campus dining hall. The kitchenettes were cited after construction by a city inspector. Following discussion, the proponent asked that the application be tabled to allow applicant consideration of doors for the kitchen space. Commissioner Brown moved to table to explore alternatives, with the second by Commissioner Hawkins. It was voted upon and carried.

- (33) 12-09-30 St. Malachy Catholic Parish Additions, Brownsburg

Ed Rensink, RTM Consultants, spoke as proponent. The additions to the existing building will exceed the allowable area for Type VB Construction. Steve Jones, Brownsburg Fire Department, had made some requests in regards to the additions. They requested a separate emergency backup generator to serve the fire pump for the building. They also requested access to another water supply. A dry hydrant was to be designed for the million gallon retention pond which would have a paved access road for the fire department's use. Following discussion, Commissioner Hawkins moved to approve with a condition that the separate emergency generator for the fire pump and the dry hydrant for the retention pond be provided. Commissioner Corey made the second. It was voted upon and carried.

- (34) 12-09-31 Riley Hospital for Children Phase V Addition, Indianapolis

Rodney McCulloh, RMT Consultants, spoke as proponent. During the emergency room expansion, one of four exit stairs serving the new ten story addition would not discharge directly to the exterior. The request was to allow this condition to exist for a period of nine months during construction. The building was fully sprinklered with quick response sprinklers, and the fire alarm system was installed and functional. The required high-rise fire safety systems were installed and functional. Concern was voiced about keeping people from trying to go beyond the second floor landing to exit the building, and it was decided to install a gate at the second floor landing to bar further access. Following discussion, Commissioner Christoffersen moved to approve with the condition that the gate be installed at the second floor landing to prevent access to the first floor, and that the variance was valid until July 1, 2013. Commissioner Corey made the second. It was voted upon and carried.

- (35) 12-09-32 Indiana Convention Center National Truck Driving Championship, Indianapolis

The proponent requested the application be tabled. Commissioner Corey moved to table, with the second by Commissioner Hite. It was voted upon and carried.

- (36) 12-09-33(a)(b)(c)(d) Barton Block, Indianapolis

Ed Rensink, RTM Consultants, spoke as proponent. Variance (a) was a request to have 33 feet of anchored veneer instead of the code-allowed height of 30 feet. A letter from the engineer stating the design would not compromise public safety was handed out to the commissioners. Commissioner Brenner moved to approve, with the second by Commissioner Corey. It was voted upon and carried. Commissioner Cloud abstained. Variance (b) was a request to allow a single dwelling unit at grade on the lower level of the "podium" type building. The unit would be sprinklered per NFPA 13, would be part of a Type IA fire-resistive building, and would exit at grade. Commissioner Christoffersen moved to approve, with the second by Commissioner Corey. It was voted upon and carried. Commissioner Cloud abstained. Variance (c) was a request to omit the attic access. The open-web truss design and low height would provide no practical use. Commissioner Christoffersen moved to approve with the second by Commissioner Corey. It was voted upon and carried. Commissioner Cloud abstained.

Variance (d) was a request to allow clothes dryer vents to exceed the permitted 25 feet. Commissioner Hawkins moved to approve, with the second by Commissioner Corey. It was voted upon and carried. Commissioner Cloud abstained.

(37) 12-09-34 YMCA of Vincennes, Vincennes

Larry Donovan, architect, spoke as proponent. Brenda Cummings, CEO, and Ron Thompson, Director, Maintenance and Engineering were also present. The request was to allow the use of mag locks on the exit doors with panic hardware for delayed egress in the daycare portion of the facility. Following a lengthy discussion to clarify what was being requested and what doors were actually involved, Commissioner Christoffersen moved to table to allow the proponent time to determine what doors were required exit doors and how that would affect the request, with the second by Commissioner Mitchell. It was voted upon and carried.

(38) 12-09-35 One-Eighteen, LLC, Bloomington

Mark Need, owner, appeared as proponent. The exit door from the front of the 100 year old building did not have a code complaint, level landing outside the door. The settling of the building and angle of the sidewalk in this historic area had caused the situation on the hinge side of the door, and compliance would be extremely difficult. Following discussion, Commissioner Christoffersen moved to approve with the second by Commissioner Corey. It was voted upon and carried. Commissioner Hawkins abstained from voting.

(39) 12-09-36 Crossroads Christian Church Sunday School Classroom Addition, Newburgh

Roger Lehman, RLehman Consulting, spoke as proponent. The church had been built in 1996, was fully sprinklered, and had been granted a variance to be over-area. An additional variance was granted in 1998 for a partial stage. They were now to construct a 3,000 square foot addition, Type IIB Construction, as an accessory to the classroom area. It was to be steel-framed, and would have a 300 square foot mezzanine for storage, separated by a smoke barrier. Two additional exit doors would be installed. Following discussion, Commissioner Brown moved to approve with the condition that any further additions would require compliance with the current code or additional variances. Commissioner Corey made the second. It was voted upon and carried.

(40) 12-09-37 Helfrich Park School, Evansville

Roger Lehman, RLehman Consulting, spoke as proponent. The request was to allow a previously approved delayed egress device known as a Stanley Alert System to be moved to a different location. The child for whom the variance had been granted was moving from elementary school to middle school, and still required the delayed egress for his safety. To prevent unauthorized exiting, a bracelet with a transmitter triggers a magnetic lock on the door if the wearer is within five feet of the door. The special needs student is in a class of seven students, and their classroom door would be the only door involved. Following discussion, Commissioner Christoffersen moved to approve with the conditions that the room shall have an occupant load of no more than ten students, and that the lock shall release upon loss of power or activation of the fire alarm. Commissioner Brenner made the second. It was voted upon and carried with one nay vote.

Breaking and reconvening. Vice-Chairman Ogle recessed the Commission for lunch at 12:15 p.m. It was called back to order at 1: 20 p.m.

(41) 12-09-38(a)(b) St. John's Lutheran Church Addition, Aurora

Jeff Linus, Maxwell Construction, James Fritsch, architect, and Larry Rumsey, owner's rep, spoke as proponents. The church was built in the late 1800's. They wish to add a single story addition, and did not meet either of the exceptions to not sprinkler the building. They were to install a fire alarm system and provide a 2-hour fire barrier, though the wall which was to be the fire barrier contains stained glass windows which were the subject of the (b) variance. Following discussion,

Commissioner Christoffersen moved to table both to allow the proponent time to reanalyze the design to address fire areas and occupant loads. Commissioner Hawkins made the second. It was voted upon and carried.

(42) 12-09-39 Greendale Pool, Greendale

Eric Chambers and Phil Schilffarth, Brandstetter Carrol, Inc., spoke as proponents. The request was to reduce the number of showers to be provided from five in each of the men's and the women's changing rooms, citing cost issues and maintenance problems from vandalism. They proposed to install a three-head shower on the pool deck to be used by either sex in addition to the two showers to be installed in each of the changing rooms. Following a lengthy discussion, Commissioner Hite moved to table to allow the proponents time to talk with the State Health Department about compliance with the State Health Department rules. The second was made by Commissioner Corey. It was voted upon and carried.

(43) 12-09-40 Racer Trust – White River Parkway, Indianapolis
12-09-41 Racer Trust – Harding Street, Indianapolis

These variances had been withdrawn by the proponent.

(44) 12-09-42 Mercy Road Church, Indianapolis

The proponent had requested the application be tabled. Commissioner Corey moved to table, with the second by Commissioner Mitchell. It was voted upon and carried.

(45) 12-09-43(a)(b)(c)(d) North American Composites Proposed Renovation, Mishawaka

Tim Callas, J&T Consulting, spoke as proponent. Variance (a) was a request to omit the 1-hour structural elements in the change of occupancy of the warehouse. The sprinkler system was to be augmented, a fire pump with emergency backup power was to be installed, and the administrative area was to be separated by a three-hour fire barrier. Mechanical exhaust and fire department access doors were also to be provided. Following discussion, Commissioner Brown moved to approve (a) with the second by Commissioner Hawkins. It was voted upon and carried. Variance (b) was to omit continuous ventilation from two chill rooms. The ventilation system will otherwise comply with code. The chill rooms were to be provided with sensors which would turn on the ventilation system if a change in room atmosphere was nearing lower explosive limits. An alarm system would then send a notification to a manned station to alert staff for response. Following discussion, the proponent requested the application be tabled to allow time to provide specific information on the ventilation system. Commissioner Hawkins moved to table, with the second by Commissioner Brenner. It was voted upon and carried. Variance (c) was a request to allow three existing ¾ hour rated windows to remain on the second floor in the 3-hour separation wall. The management needed the windows to be able to monitor operations in the warehouse area. A sprinkler at each window opening was to be provided. Commissioner Brenner moved to deny based on a variance for the structure. Commissioner Cloud made the second. It was voted upon and did not carry with a vote of 3 to 6. It was noted that the sprinklers at the windows would provide foam. Commissioner Hawkins moved to table, with the second by Commissioner Mitchell. It was voted upon and carried. Variance (d) was to omit the fire department access road due to topography. A gravel turn-around, approved by the fire department, would be provided. Commissioner Mitchell moved to approve, with the second by Commissioner Christoffersen. It was voted upon and carried.

(46) 12-09-44(a)(b) SparTA Training Academy, Fishers

Tim Callas, J&T Consulting, spoke as proponent. Variance (a) was to allow a new fitness center to have 4-hour fire walls on either side of the tenant space which were not structurally independent. The building was sprinklered. Commissioner Hawkins moved to approve, with the second by Commissioner Corey. It was voted upon and carried. Variance (b) was to allow the sum of the ratios for the mixed uses of the remaining portion of the building to exceed the maximum of 1

allowed by code. Commissioner Christoffersen, noting the 4-hour wall, moved to approve. Commissioner Mitchell made the second. It was voted upon and carried.

(47) 12-09-45 Hy-Tech Machining Systems, Anderson

Joseph Ley, owner, spoke as proponent. The request was to allow the sprinkler system to be disconnected without the system being kept in operational condition or removed. Parts of the concrete and steel building do not have water or heat, and not all of the building is occupied. City fire hydrants are on the property. Commissioner Hawkins moved to approve with the condition that only non-combustible commodities be stored in the building. Commissioner Christoffersen made the second. It was voted upon and carried with one nay.

(48) 12-09-46 Cunningham Office and Residence, Indianapolis

Tim Callas, J&T Consulting, spoke as proponent. An existing warehouse facility was to have an apartment added to the second floor, with a 1-hour horizontal separation from the office beneath, two exits and an NFPA 13D sprinkler system. The remainder of the building was not to be sprinklered. Following discussion, Commissioner Christoffersen moved to approve with the condition that the first floor garage shall have a hallway to the exterior exit. Commissioner Hawkins made the second. It was voted upon and carried.

(49) 12-09-47(a)(b) Terre Haute Regional Hospital, Terre Haute

Dennis Bradshaw, FP&C Consultants, spoke as proponent. The request in variance (a) was to allow doors with electronic locking devices on the second floor of the fully sprinklered facility to provide security for the newborn holding area. The area would be staffed by nurses 24/7, each with the electronic key card needed to operate the locks. The locks would also be operated from the nursing station. The locks would fail open at loss of power or activation of the fire alarm system. Variance (b) was the same request for the fourth floor psychiatric treatment area. Following discussion, it was decided that it should have been rated “no variance required” since it complied with exception five of the code. Commissioner Hawkins moved that both (a) and (b) were “no variance required”, with the second by Commissioner Christoffersen. It was voted upon and carried.

(50) 12-09-50 508 N. Washington Street Windows, Bloomington

No proponent was present. The request was to allow a skylight installed in an historic home to not comply with the minimum size requirement. The attic space had been converted about 1980, and the windows installed at that time. Following discussion, Commissioner Cloud moved to approve, with the second by Commissioner Corey. It was voted upon and carried.

(51) 12-09-51(a)(b) 602-608 North Park Restaurant and Brewery, Indianapolis

Ed Rensink, RTM Consultants, spoke as proponent. Two properties were being joined to create a restaurant and brewery. Variance (a) was to allow doorway and window openings between the two buildings so they may function as a single tenant. Because of the property line dividing them, openings were not permitted. Variance (b) was a request to allow both buildings to be evaluated together as a single space under Chapter 34. There are two separate owners with a tenant leasing the spaces for a single business. Following discussion, Commissioner Corey moved to approve with the condition that the variance would be valid under the current owners only. Commissioner Hawkins made the second. It was voted upon and carried with two nay votes.

- (52) 12-09-52(a)(b) Lebanon Boys and Girls Club, Lebanon

Mark Vickery, contractor, spoke as proponent. John Haines noted that the building had been in non-compliance for area since approximately 1986. Variance (a) was a request to omit sprinklers, and variance (b) was a request to be over-area for construction type. An addition of 824 square feet was to be added. The building has a partial fire alarm system with pull stations at each exit door, with horns and strobes in the main areas of the building. The gym has no seating provided, and has two single exit doors and a double exit door. Following a lengthy discussion, Commissioner Christoffersen moved to table to allow the proponent time to provide more detailed drawings, including a floor plan and to explore options and alternatives, with the second by Commissioner Mitchell. It was voted upon and carried.

- (53) 12-09-53 Tippmann Residence, Ft. Wayne

Mike Christoffersen, designer, spoke as proponent. The request was to allow the second story bedroom windows to not meet size requirements. The dormer windows egress onto the roof of the home, providing ease of egress as if it were a first floor window. Following discussion, Commissioner Brown moved to approve, with the second by Commissioner Corey. It was voted upon and carried. Commissioner Christoffersen abstained.

- (54) 12-09-54 Clark Residence Addition, Valparaiso

Ed Rensink, RTM Consultants, spoke as proponent. A B-occupancy building was to have an owner-occupied residence on the second and third floor. The request was to omit the required sprinkler system. A 2-hour occupancy separation was to be provided between the addition and the first floor. The addition and existing buildings had independent required exits, with neither space required to pass through the other to exit. Following discussion, Commissioner Christoffersen moved to approve with the second by Commissioner Corey. It was voted upon and carried.

- (55) 12-09-55 North of South Building 4, Indianapolis

Ralph Gerdes, Ralph Gerdes Consultants, spoke as proponent. The required accessible elevator for the parking garage was scheduled to be completed and ready for use on November 1st, and would not be in service at the time the garage was scheduled to open on October 6th. The standpipe system was functional, and all accessible parking was to be provided on the first level of the open air parking garage. The request was to allow the elevator to be inoperable until November 1st. Following discussion, Commissioner Christoffersen moved to approve with the condition that the variance was valid until November 1, 2012. Commissioner Mitchell made the second. It was voted upon and carried.

- (56) 12-09-56 Tom and Kathleen Gruhl Residence, Indianapolis

Christina Collester, RTM Consultants, spoke as proponent. This was a four-unit building, with each occupant owning their unit. One of the owners wanted to add a sunroom, but because it was adding to an R-occupancy, they would be required to sprinkle the entire building. Following discussion, Commissioner Christoffersen moved to approve, with the second by Commissioner Corey. It was voted upon and carried.

- (57) 12-09-57 St. Alphonsus, Zionsville

Christina Collester, RTM Consultants, spoke as proponent. An addition to the old church had required the demolition of a set of stairs to an existing platform. When they incorporated the platform into the addition, part of the platform was cut off and the stairs were torn out to allow access to conduit for replacement. When the stairs were rebuilt, they were cited for

not making the platform accessible. They did not have enough room available to provide a ramp. Following discussion, Commissioner Christoffersen moved to approve, with the second by Commissioner Corey. It was voted upon and carried.

(58) 12-09-58 Henderson Crossing – 519, 537, 539, 541, 543 E. Smith Ave Windows, Bloomington

No proponent was present. Mara Snyder, Director, Legal and Code Services, explained to the the proponent had experienced difficulty in submitting a correctly executed application. Ms. Snyder requested the Commission to grant the application with the condition that the fees be paid and that the corrected page two signatures be submitted. Following discussion, Commissioner Christoffersen moved to approve with the requested conditions. Commissioner Brenner made the second. It was voted upon and carried.

Breaking and reconvening. Vice-Chairman Ogle recessed the Commission at 3:12 p.m. It was called back to order by Chairman Hannum at 3: 25 p.m.

5. Discussion and possible Commission adoption of LSA Doc. #11-448 (2012 Indiana Plumbing Code)

A copy of the proposed 2012 Indiana Plumbing Code, LSA Doc. #11-448, had been distributed to the members of the Commission. A memo from Mara Snyder, Director, Code and Legal Services, was also distributed, explaining the changes which had been requested following review by the Attorney General's office. Commissioner Hite moved to adopt LSA Doc. #11-448 as published in the Indiana Register on April 25, 2012 as DIN: 20120425-IR-675110448PRA as amended by the draft from staff dated August 29, 2012. Commissioner Corey made the second. It was voted upon and carried.

6. Discussion and possible Commission adoption of LSA Doc. #12-51 (2010 Edition of NFPA 10)

A copy of the proposed 2012 Edition of NFPA 10, LSA Doc. #12-51, had been distributed to the members of the Commission, as well as a copy of proposed changes and a memo from Shelly Wakefield recommending two changes as a result of the public comments, which were also provided. Commissioner Brown moved to adopt LSA Doc. #12-51 as published in the Indiana Register on June 27, 2012 as DIN:20120627-IR-675120051PRA, as amended by the recommended changes contained in the memo from Shelly Wakefield dated August 21, 2012. The second was made by Commissioner Corey. It was voted upon and carried.

7. Fire Code Section 807 – Information concerning fabric spray-on materials

A request for discussion had been made by Randy Cooley, Fire and Building Code Enforcement. Mark Shaffer, Fire and Building Code Enforcement, also appeared. This was a further discussion of a variance concerning decorative materials fabrics used in a school which had been previously granted. Commissioner Hawkins had done an experiment using a bottle of Inspecta-Shield which he estimated to be five years old. He had held a piece of t-shirt, 50% cotton and 50% polyester, which had not been treated, to a source of ignition, and it had burned easily. He then held another piece of the same t-shirt which had been treated with two teaspoons of Inspecta-Shield then dried. He was unable to ignite it when held to the same source of ignition. He asked "What about this isn't working?" He felt the use of these products should be certification of fire resistance enough. Randy Cooley then raised the question of how his inspectors should be interpreting the language used in the code, feeling that the interpretation should be a strict following of the exact language. A discussion of whether the Fire Code "trumps" the GAR then followed. Chairman Hannum had the list of materials on which Inspecta-Shield recommended use read from the label, then asked if anyone disagreed with the interpretation that, when used on those materials, no further certification was required. Mr. Cooley then said the code language required proof of testing of the material be provided when requested by the inspector. Mara Snyder, Director, Legal and Code Services, noted that the label was proof of testing since they listed the several tests the product had passed. Mara Snyder was

directed to provide direction for the inspectors to use in their interpretations. A discussion of grandfathering, whether materials which met code when installed could be made to be replaced with materials which meet current code, was held. Ms. Snyder asked if the Commission considered things which are hung from the ceilings and walls part of the structure of the building or not, thereby determining if compliance was governed by the GAR. That discussion was tabled to a later meeting.

8. Variance 12-05-31 – clarification of variance

Mara Snyder, Director, Legal and Code Services, advised the Commission that the issue for the variance was if they were allowed to comply with the residential provisions of Chapter Four of the 2009 IECC in lieu of the Indiana Energy Conservation Code including language that appears to allow the omission of Comcheck, and the provision of another mechanism for determining compliance. She asked if the Commission had intended that they could use the alternative proof of compliance, or were they to use just the residential portion of Chapter Four. Ed Rensink, proponent for the variance in question, explained their approach to Chapter Four, choosing to use the prescriptive method. Bob Finger, architect, also presented information. In the case of this variance, the proponent was requested to and agreed to provide a letter of compliance, stamped and signed, to be submitted to Plan Review, in lieu of a Comcheck.

9 . New Business – General.

Discussion and possible Commission action

Mill Top Banquet and Conference Center
Administrative Cause No. 12-15
Order – Fire and Building Code Enforcement
Nonfinal Order of Dismissal

Commissioner Cloud moved to approve the Nonfinal Order of Dismissal, with the second by Commissioner Corey. It was voted upon and carried.

10. Discussion and Possible Commission action on petitions for review (Timely filed unless otherwise noted.)

Roca Bar North
Order – Fire and Building Code Enforcement

Tom's Food & Fuel
Denial of Appeal

Park 41 Facility
Denial of Appeal

Fertilizer Storage and Blending Building
Denial of Application for Construction Design Release

Bluffton Wesleyan Chapel dba Wesleyan Heritage Academy
Order – Fire and Building Code Enforcement

Commissioner Corey moved to approve the petitions for review. Commissioner Mitchell made the second. It was voted upon and carried.

11. Comments

Mara Snyder, Director, Legal and Code Services, said the code review committees were working hard and she hoped to move things forward by the end of the year. She reminded everyone they had fiscal issues that needed to be addressed, and if they weren't, nothing would move forward. Shelly Wakefield noted that the NFPA 25 public hearing would be held September 6, 2012, in Conference Room 17.

12. Adjournment.

Chairman Hannum called for further business, and upon hearing none, adjourned the meeting at 4:27 p.m.

APPROVED _____
David Hannum, Chairman